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July 25, 2021

By ECF

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York

Re: United States v. Michael Ackerman, 20 Cr. 93 (LTS)

Dear Judge Swain:

In advance of Michael Ackerman's anticipated guilty plea, I write to set forth my position that a remote guilty plea conforms to the requirements of § 15002(b)(2)(A) of the CARES Act. Mr. Ackerman's guilty plea "cannot be further delayed without serious harm to the interests of justice" because he has been made a time-sensitive plea offer by the Government. Indeed, the offer expires on July 29, 2021, the date on which Mr. Ackerman is scheduled to plead guilty. He has an interest in availing himself of that plea offer, and so his guilty plea should not be delayed. Moreover, his plea conference should occur remotely because he lives in Ohio and is in very poor physical health; he is unable to safely travel to appear in person in SDNY at this time. For these reasons, a remote guilty plea conforms to the requirements of the CARES Act.

Thank you for your attention to this matter.

Sincerely,

/s/ Jonathan Marvinny

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cc: Jessica Greenwood, Esq.
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